

REMARKS

In the Office Action, Claims 1-21 were examined and stand rejected. In response to the Office Action, Claims 1, 2, 4, 6, 7, 10 and 13-21 are amended, Claims 8, 9, 11 and 12 are cancelled and Claims 22-27 are added. Applicants respectfully request reconsideration of pending Claims 1-7, 10 and 13-27, in view of the following remarks.

I. Claims Rejected Under 35 U.S.C. §112, second paragraph

The Examiner rejects Claims 1-21 under 35 U.S.C. §112, second paragraph as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Regarding Claims 1 and 7, Claims 1 and 7 were rejected for specifying “fundamental units performed by”, “performing identification and decomposition of fundamental units”, and “abstracting the fundamental units to packet processing into the software objects”. Claims 2-6 and 8-12 depend from Claims 1 and 7 and are similarly rejected .

In response, Applicants amend Claim 1 to replace “fundamental units” with --operations--. Accordingly, Claim 1, as amended, now recites the following claim features:

performing identification and decomposition of operations performed by underlying hardware to process a packet;
forming software objects by abstracting the identification and decomposition of the operations into the software objects, such that the software objects encapsulate and represent functionality performed by underlying hardware to process a packet.

Accordingly, Applicants respectfully submit that Claim 1, as amended, particularly points out and distinctly claims the subject matter Applicants regard as the invention. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. §112, second paragraph, rejection of Claim 1. Likewise, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. §112, second paragraph, rejection of Claims 5 and 6, which depend from Claim 1.

Regarding Claim 7, Claim 7 is amended to recite the following claim features:

directing underlying hardware loaded with a directed graph of programmed software objects to process packets in a manner specified using an object-oriented model and compiled to produce the directed graph of programmed software objects.

Applicants respectfully submit that Claim 7, as amended, particularly points out and distinctly claims the subject matter, which Applicants regard as the invention. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. §112, second paragraph, rejection of Claim 7. In addition, Applicants respectfully request that the

Examiner reconsider and withdraw the 35 U.S.C. §112, second paragraph, rejection of Claim 10, which depends from Claim 7.

Regarding Claims 13 and 17, Claims 13 and 17 were rejected for reciting the limitation “the directed graph of software objects”, for which there is insufficient antecedent basis for this limitation in the claims. Furthermore, the meaning of “software object linked together to form a directed graph of packet flow” is unclear. Claims 14-16 and 18-21 depend from Claims 13 and 17 and are similarly rejected.

Regarding Claims 13 and 17, Claims 13 and 17 are amended to recite the following claim feature:

a memory coupled to the processor, the memory to load a directed graph of programmed software objects to direct the processor to process packets in a manner specified using an object-oriented model and compiled to produce the directed graph of programmed software objects.

Accordingly, Applicants respectfully submit that Claims 13 and 17, as amended, particularly point out and distinctly claim the subject matter, which Applicants regard as the invention. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. §112, second paragraph, rejection of Claims 13 and 17.

Regarding Claims 14-16, Claims 14-16 depend from Claim 13 and therefore particularly point out and distinctly claim the subject matter, which Applicants regard as the invention. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. §112, second paragraph, rejection of Claims 14-16.

Regarding Claims 18-21, Claims 18-21 depend from Claim 17 and therefore particularly point out and distinctly claim the subject matter, which Applicants regard as the invention. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. §112, second paragraph, rejection of Claims 18-21.

Regarding new Claims 22 and 23, new Claims 22 and 23 depend from Claim 2, which recites claim features, which are neither taught nor suggested by the references of record. Accordingly, Applicants respectfully submit that the Examiner is prohibited from establishing a *prima facie* case of either anticipation or obviousness of Claim 2, as amended, based on the references of record. Hence, Claim 2, as amended, is patentable over the references of record. Therefore, Applicants respectfully request that the Examiner allow independent Claim 2. Likewise, new Claims 22 and 23 depend from Claim 2 and therefore include the patentable claim features of Claim 2, as described above. Accordingly, Applicants respectfully request that the Examiner allow new Claims 22 and 23.

Regarding new Claim 24, new Claim 24 depends from Claim 10, which depends from independent Claim 7. Regarding independent Claim 7, independent Claim 7 is amended to recite claim features, which are neither taught nor suggested by the references of record. Accordingly, Applicants respectfully submit that the Examiner is prohibited from establishing a *prima facie* case of anticipation or obviousness of Claim 7, as amended over and in view of the references of record.

Accordingly, Applicants respectfully request that the Examiner allow Claim 7. Likewise, new Claim 24 depends from Claim 7 via Claim 10 and therefore is also patentable over the references of record for at least the reasons described above. Consequently, Applicants respectfully request that the allow new Claim 24.

Regarding new Claim 25, new Claim 25 recites an analogous claim feature to Claim 7, as amended. As is described above with reference to Claim 7, new Claim 25 is also patentable over the references of record for at least the reasons described above. Accordingly, Applicants respectfully request that the Examiner allow new Claim 25.

Regarding new Claims 26 and 27, new Claims 26 and 27 depend from Claim 25 and therefore include the patentable claim features of Claim 25, as described above. Accordingly, Claims 26 and 27, based on their dependency from Claim 25 are also patentable over the references of record. Consequently, Applicants respectfully request that the Examiner allow new Claims 26 and 27.

CONCLUSION


In view of the foregoing, it is submitted that Claims 1-7, 10 and 13-27 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

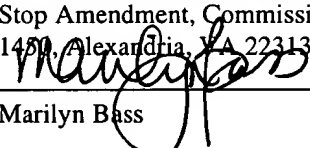
Dated: June 15, 2004

By: 
Joseph Lutz, Reg. No. 43,765

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 15, 2004


Marilyn Bass

June 15, 2004